



W.P.(MD)No.5716 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.5716 of 2020
and
W.M.P.(MD)No.4989 of 2020

Dr. S.Thennavan

Vs.

... Petitioner

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Higher Education Department,
Fort St. George,
Chennai – 600 009.
2. The Director of Technical Education,
Guindy,
Chennai – 600 025.
3. Anna University,
Rep. by it's Registrar,
Chennai – 600 025.
4. The Director,
Constituent Colleges,
Anna University,
Guindy,
Chennai – 600 025.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, forbearing the 3rd respondent from disturbing the petitioner from his employment as System Assistant in the Department of Computer Science and Engineering, University College of Engineering, Bharathidasan Institute of Technology Campus, Anna University, Tiruchirappalli – 620 024.

For Petitioner	:	Mr.M.Saravanan
For R1 & R2	:	Mr. S.Shaji Bino Special Government Pleader
For R3	:	Mr.E.V.N.Siva Standing Counsel

ORDER

This writ petitioner has been filed to forbear the 3rd respondent from disturbing the petitioner from his employment as System Assistant in the Department of Computer Science and Engineering, University College of Engineering, Bharathidasan Institute of Technology Campus, Anna University, Tiruchirappalli – 620 024.



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2. The learned counsel for the petitioner would submit that the petitioner is a B.E., computer Science Engineering and M.E. Engineering and worked for Annamalai University for more than 4-1/2 years. In the year 2010, he applied for the post in schedule caste community and University called him for an interview and selected to appointment in the post of System Analyst for Schedule Caste vacancy. His selection was approved by the syndicate's 12th meeting on 22.12.2020. The University had issued an order appointing the petitioner on 05.03.2000 and joined service after resigning his service from Anna University, Trichy. Subsequently Anna University redeemed as Anna University Trichy and now the same is merged with the third respondent Anna University Chennai as per the order of the Government. The monitoring committee without considering any of the aspects simply shown his name as excess staff and further the third respondent started absorption process several representation to absorb him as system Analyst and the same was forwarded, however, there was an apprehension that the petitioner may be sent out during the pendency of the writ petition, the petitioner name was sent for absorption in the third respondent university and the same was abated. Hence, this Court may pass



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appropriate orders as soon as the absorption period is over and that benefit may be given to the petitioner.

3. The learned Standing Counsel appearing for the third respondent submitted that on mere apprehension, the present writ petition is filed, as if the petitioner may be ousted from service, as excess staff. In fact the petitioner name was also sent for absorption to the third respondent and that would be merely on apprehension unless the Government take a decision, the petitioner may not be ousted from service.

4. Recording the same, the writ petition is disposed of with liberty to the petitioner to approach this Court if any coercive steps is taken. No costs. Consequently, connected miscellaneous petition is closed.

12.12.2022

Index : Yes / No
Speaking Order : Yes / No
RM



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M.DHANDAPANI,J.

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